



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JANUARY 5, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CL.FRESNO.CA.US)

8:30 A.M.

REGULAR MEETING OF THE REDEVELOPMENT AGENCY

Proclamations of special recognition for businesses and governmental support of the Redevelopment Agency of the City of Fresno who have invested in the revitalization of the City: (Councilmember Ronquillo)

Federal Courthouse - Judge Coyle

Butterfield Brewing Company - Jeff and Janis Wolpert, Owner

Fresno Unified School District - Carlos Garcia, Superintendent

Kearney Palms Shopping Center - Tom Beggs, Developer

The Fresno Grizzlies - John Carbray, Owner

Community Hospital - Dr. Phil Hinton, CEO

Downtown Association - Victoria Gonzales, Executive Director and Brent Weiner, President

Uptown Committee - John Moffat, Chairman

Chinatown Revitalization - Larry Yamata, President and Ken Takota, Past President

Convention Center - Bud Long, Developer

Foundry Park - Thomas Bernard, Owner

Juvenile Dependency Court - Ron Patterson, Owner/Developer

Producers Dairy - Richard Shehadey, President

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

8:30 A.M.

REGULAR MEETING OF THE REDEVELOPMENT AGENCY CONTINUED

Approve Agency minutes of December 15 and December 17, 1998

Action Taken:

- A. Staff status report on current and completed Redevelopment Agency projects - Councilmember Ronquillo

Action Taken:

RECESS TO 2:30 P.M.

9:00 A.M. Council Roll Call

Invocation by Pastor Tim Howard from Valley Christian Center

Pledge of Allegiance to the Flag

Proclamation of "FRESNO TEACHERS ASSOCIATION DAY" - Councilmember Bredefeld

Proclamation relating to "1999 PIG BOWL"

Councilmembers-Elect Swearing-in Ceremony (Reception immediately following) (*2nd floor foyer*)

Action Taken:

- A. Consider proposal to amend Attachment "A" to Resolution No. 97-222 relating to Rules and Protocol, Rule Nos. 4(a) and 4(b), to allow for the election of the President and the Acting President, selected initially from the District selected by the Clerk by random drawing, thereafter, rotating those offices in ascending sequential order by Council District number - Councilmember Bredefeld

Action Taken:

B. Selection of Council President and Acting President

1. Election of Council President and Acting Council President under current procedure

Action Taken:

2. Election of Council President and Acting Council President under alternative (Bredefeld) procedure

Action Taken:

C. Appointment of Council Representative to the Transportation Authority

1. Recommend Appointment of Tom Boyajian as Council Representative to the Fresno County Transportation Authority for a two-year term beginning January, 1999 - Councilmember Ronquillo

Action Taken:

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

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THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of December 15 and December 17, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. Submission for informational purposes of Comprehensive Annual Financial Report regarding the financial activities of the City of Fresno Retirement Systems for the fiscal year ending June 30, 1998 (**Not a City item**)

Action Taken:

10:15 A.M. **CONTINUED HEARING** to consider Rezoning Application No. R-98-23, and Conditional Use Permit Application No. C-98-156, and the Mitigated Negative Declaration for Environmental Assessment No. R-98-23/C-98-156, filed by Orange Avenue Disposal, Inc., property located on the southwest corner of Rice Road and Lanes Road

Action Taken:

1. BILL - Amending the Official Zone Map from AE-5/UGM zone district to O/UGM zone district

Action Taken:

A. HEARING to review the Fresno City Planning Commission's action on Conditional Use Permit (CUP) Application No. C-98-156 filed by Orange Avenue Disposal, Inc., property located at 10251 North Rice Road, southwest corner of Rice Road and Lanes Road, east of Friant Road - Councilmember Bredefeld

Action Taken:

10:30 A.M. **CONTINUED HEARING** relating to Freeway Agreement with the State of California for Route 180, from Chestnut Avenue to Temperance Avenue (**Continue to 1/26/99 at 10:30 A.M.**)

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:30 A.M. - 10:45 A.M. - RECESS

10:45 A.M. **RESOLUTION -** Supporting Federal relief aid to citrus growers - Council President Mathys

Action Taken:

11:00 A.M. **CONTINUED HEARING** to consider Plan Amendment No. A-98-18, Rezoning Application No. R-98-30, and Variance Application No. V-98-24, filed by David Ochoa, for 6.3 acres located on the

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northeast corner of E. Butler and S. Chestnut Avenues

Action Taken:

1. **RESOLUTION** - Amending the Roosevelt Community Plan
(*Planning Commission Recommendation*)

Action Taken:

2. **RESOLUTION** - Amending the Roosevelt Community Plan (*Applicant's Request*)

Action Taken:

3. **BILL** - Amending the Official Zone Map from the C-2/BA-30 zone district to the C-2 zone district

Action Taken:

4. **RESOLUTION** - Authorizing Variance Application No. V-98-24
(*Planning Commission Recommendation*)

Action Taken:

5. **RESOLUTION** - Authorizing Variance Application No. V-98-24 (*Applicant's Request*)

Action Taken:

2:00 P.M.(#1) DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M. (#2) CLOSED SESSION OF THE CITY COUNCIL

- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

City Negotiator(s): Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza

Employee Organization(s): IBEW

Action Taken:

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**

Government Code Section 54956.9, Subdivision (a)

Significant Exposure to Litigation:

1. Claim of Joseph Sahakian

Action Taken:

- C. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**

Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** A.H.D.C., et al. v. City of Fresno, et al.

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M. (#2) REGULAR CLOSED SESSION OF THE REDEVELOPMENT AGENCY

- D. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**

Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Redevelopment Agency of the City of Fresno, etc. v. Estate of Varazdat Samuelian, Mark Topoozian, et al.; Fresno Superior Court No. 595841-8

Action Taken:

2:30 P.M.(#1) CONTINUED HEARING as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of Multifamily Housing Revenue Bonds by

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the California Statewide Communities Development Authority (CSCDA) to provide financing for the acquisition and rehabilitation of a multifamily residential rental project (Del Monte Pines Apartments)

Action Taken:

1. **RESOLUTION** - Approving the issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority

Action Taken:

2:30 P.M.(#2) REGULAR MEETING OF THE REDEVELOPMENT AGENCY

- A. **HEARING** - To consider a resolution of the Redevelopment Agency of the City of Fresno, determining that public interest and necessity require the acquisition of four properties (owned by Willie B. Morris, Khalil Y. and Saeda Farsakh, Albert Graves Jr., and Leroy and Fannie Graves) and authorizing eminent domain proceedings necessary for the Kearney Palm Shopping Center Project

Action Taken:

1. **RESOLUTION** - Determining that the public interest and necessity require the acquisition of four properties and authorizing eminent domain proceedings necessary for the Kearney Palms Shopping Center Project (northeast corner of Fresno and "B" Streets) (*Requires 5 affirmative votes*)

Action Taken:

ADJOURN AGENCY

- 4:30 P.M.** **HEARING** on appeal of decision of Fresno Metropolitan Flood Control District regarding conditions of development, property located at 3499 W. Nielsen Avenue (APN 326-090-21)

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 5:00 P.M.** **CONTINUED HEARING** on Text Amendment No. TA-97-09 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to advertised structures (billboards)

(Not to be heard if item 3A is approved - see item 3A on this agenda)

Action Taken:

1. Text Amendment No. TA-97-09 proposing changes to Fresno Municipal Code Article 2, Chapter 12, related to advertising structures (*for adoption*)

- a. * **BILL NO. B-90 - (INTRO. 10/6/98)** - Alternative No. 1 as proposed by advertising industry

Action Taken:

- b. * **BILL NO. B-91 (INTRO. 10/6/98)** - Alternative No. 2 as proposed by staff

Action Taken:

1A. GENERAL CONSENT CALENDAR

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(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. Approve the 1999 City Council meeting schedule
Action Taken:
2. Authorization to purchase one Engstrom F28F-P Sentinel helicopter without advertised competitive bidding under the provision of sole source exception
Action Taken:
3. Approve substitution of subcontractor for contract with Mauldin-Dorfmeier Construction for parking expansion and underground storage tank replacement at the Fresno Area Express Facility
Action Taken:
4. Approve cargo building lease and agreement between the City of Fresno and National Car Rental System, Inc.
Action Taken:
5. Approve cargo building lease and agreement and addendum thereto, between the City of Fresno and United Parcel Services, Inc. (UPS)
Action Taken:
6. **RESOLUTION** - Setting January 26, 1999 at 10:00 a.m. for the public hearing to consider amending Resolution No. 93-420 extending the time of completion of Underground Utility District (UUD) No. FRE-59 (Shaw Avenue between Hughes Avenue and Marks Avenue and Marks Avenue between San Jose Avenue and Emerson Avenue)
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

7. **RESOLUTION** - Of intention to annex Final Map of Tract No. 4840 to the City of Fresno Community Facilities District No. 2, Annexation No. 10, and to authorize the levy of special taxes
Action Taken:
8. **RESOLUTION** - Approving the Final Subdivision Map of Tract No. 4702 of Vesting Tentative Tract No. 4702/UGM 580, a 120-lot single family residential subdivision on 25.62 gross acres, located at the northeast corner of N. Maple and E. Beyhmer Avenues
Action Taken:
 - a. **RESOLUTION** - Certifying that provisions have been made for segregation of the existing assessment to each of the new parcels being created by the Final Map of Tract No. 4702
Action Taken:

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9. * **RESOLUTION** - 9th amendment to PAR Resolution No. 98-160 relating to transit service increases
Action Taken:
a. * **RESOLUTION** - 63rd amendment to AAR No. 98-159 appropriating \$841,900 for additional bus driver positions and Public Works capital projects (***Requires 5 affirmative votes***)
Action Taken:

10. **RESOLUTION** - Authorizing the Fire Department to augment permitting procedures and collaborate in the Fresno County Permit Consolidation Zone Pilot Program
Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Request to suspend processing on Text Amendment No. TA-97-09, relating to advertised structures (billboards) (***See 5:00 p.m. item on this agenda***)
Action Taken:
1. Request to continue until further notice, by Mark Russell, Lindsay Outdoor Advertising
Action Taken:

3. **GENERAL ADMINISTRATION CONTINUED**

- B. 1 * **BILL** - Amending Section 9-804 of the Fresno Municipal Code relating to public nuisances, by declaring a pay telephone, wherein certain conditions exist, to be a public nuisance (***Alternate A***)
Action Taken:
2 * **BILL** - Amending Section 9-804 of the Fresno Municipal Code relating to public nuisances, by declaring a pay telephone, wherein certain conditions exist, to be a public nuisance (***Alternate B deleting items 1, 2, and 3***)
Action Taken:
a. Direct staff to designate certain areas for enforcement relating to public nuisances, by declaring a pay telephone to be a public nuisance, when certain conditions exist (***Council action of 12/15/98***)
Action Taken:

4. **CITY ATTORNEY**

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5. **CITY COUNCIL**

- A. Review report and give direction to staff regarding parking agreement for Juvenile Dependency Court on Fulton Mall - Councilmember Ronquillo
Action Taken:
- B. Direct staff to prepare documents to expand Enterprise Zone by three (3) acres for Sinbad's relocation to 2788 N. Larkin - Councilmember Steitz
Action Taken:
- C. Direct City Manager to appoint staff assistant to coordinate the creation of the Volunteer Social Services Commission. Staff time to be funded equally among the seven Council district budgets, not to exceed \$5,000.00 annually. Report back to Council by January 15, 1999 - Council President Mathys
Action Taken:
- D. Direct staff to return with enabling documents to approve expenditure of funds from the 8th Council/Mayor budget for the Councilmembers-Elect Swearing-In Ceremony - Councilmembers Perea, Ronquillo and Council President Mathys
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Redevelopment Agency Workshop (*To be rescheduled*)

Jan. 12 - 9:45 A.M. Consider designation of "Briggs Park" near Wishon Underpass - Councilmember Perea

Jan. 12 - 10:00 A.M. **HEARING re: Rezone Application No. 98-33, filed by the Damone Group**

Jan. 12 - 10:15 A.M. Discussion and presentation by Media One on above ground cable boxes - Councilmember Quintero

Jan. 12 - 10:30 A.M. **HEARING** regarding Rezone Application No. 98-37, filed by Image Homes

Jan. 19 - NO MEETING - MARTIN LUTHER KING HOLIDAY

Jan. 26 - 10:00 A.M. **HEARING** re: Amending Resolution No. 93-420 establishing UUD No. FRE-59

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- Jan. 26 - 10:30 A.M.(#1)** Discussion regarding 35 acres river bottom park - Council President Mathys
- Jan. 26 - 10:30 A.M.(#2)** **CONTINUED HEARING** re: Freeway Agreement for Route 180 from Chestnut to Temperance Avenue
- Jan. 26 - 11:00 A.M.** **HEARING** to consider TA No. 98-02, modification to sideyard setback for the “RA” zone district
- Feb. 9 - 8:30 A.M.** **HEARING** re: Central Cities Revitalization Redevelopment Project Area Committee
- Feb. 9 - 2:30 P.M. HEARING** re: Community Facilities District No. 2, Annexation No. 10
- Feb. 16 - NO MEETING - PRESIDENTS’ DAY HOLIDAY**
- Mar. 30 - 5:30 P.M.** Review of the Fresno Chandler Downtown Airport Master and Environs Specific Plan

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